

CLERK: Yes, the motion is to return the bill to Select File for the purpose of a specific amendment to strike the enacting clause. Roll call vote taken. (See pages 1387 and 1388, Journal.) 19 ayes, 22 nays, Mr. President.

SENATOR SAVAGE: The bill is not returned. Raise the Call. All in favor of raising the Call vote aye. Have you all voted? Voting aye. Vince. Record.

CLERK: 25 ayes, 1 nay. Now, Mr. President, a motion on the desk on LB 196. I move to return LB 196 to Select File for a specific amendment. Read amendment. (See page 1317, Journal.) Signed Senator Simon.

SENATOR SAVAGE: The Chair recognizes Senator Simon.

SENATOR SIMON: For a matter of reference if you want to follow the amendment, it is on page 1317 in the Journal. If you find the amendment in the Journal, then it shows where it is in the book. What I have done here, and Senator Chambers was so kind to point it out to me, so I took advantage of his expertise. It appears that the penalties are a little muddled because the imprisonment in the county jail for six months is listed both for the misdemeanor and for the felony and actually it would be a misdemeanor charge. Therefore, on lines 15, the provision "imprison in the county jail not to exceed six months" which is one of the provisions for the felony charge, I have had that language stricken and I have just renumbered the subsections changing (c) to (b) and (d) to (c) and that is all the amendment does. It takes care of the problems that Senator Chambers and Senator Luedtke had raised and I think this should take care of the bill.

SENATOR SAVAGE: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to ask Senator Simon a question.

SENATOR SAVAGE: Will you respond, Senator Simon.

SENATOR SIMON: Yes.

SENATOR CHAMBERS: Senator Simon, when this bill was before the Judiciary Committee, did the people from Omaha say that there were no problems with the bill because I raised this issue in committee and they said that it was all right.

SENATOR SIMON: That was their interpretation.

SENATOR CHAMBERS: Senator Simon, at that time, well, prior to my having raised this issue, did anybody from Omaha, the legal department raise the issue with you?

SENATOR SIMON: No.

SENATOR CHAMBERS: Prior to my raising it, were you aware that it created a problem?

SENATOR SIMON: No, and I thank you for helping me out on this, Senator Chambers.

SENATOR CHAMBERS: I don't want the editorials right now.